

By Email Only

November 6, 2015

Donna Dahm and Bob Plowman

Application No. 1840328
Penn West Petroleum Ltd.
Statement of Concern No. 30009

Dear Ms. Dahm and Mr. Plowman:

You are receiving this letter because you filed a statement of concern about the subject application. The Alberta Energy Regulator (AER) has reviewed your statement of concern, along with the application, the applicable requirements, and other submissions or information about the application and has decided that a hearing is not required under an enactment or otherwise necessary to consider the concerns outlined in your statement of concern.

In its review of your concerns, the AER considered the following:

- Ms. Dahm's lands are located about 23 km from the proposed facility.
- Mr. Plowman's lands are located about 25 km from the proposed facility.
- Pursuant to *Directive 060 Upstream Petroleum Industry Flaring, Incinerating, and Venting* there is no venting permitted at the facility site, and all gas will be captured via vapour recovery units. The facility has been designed to be fully compliant with the requirements of *Directive 060*, including the requirements specific to the Peace River area in which the facility is located.
- Regarding the concern about wetlands, the equipment spacing and mitigation measures in place to protect the low wet areas have been reviewed and deemed satisfactory. The proposed facility is located on Crown land, and the potential impact on water bodies would have been assessed at the time of the original Public Land Use application process.
- You have not provided information that demonstrates that you may use lands or other natural resources in the project area or other locations that may be affected by the project, or that the kinds of impacts you are concerned with may result from the application.

- The AER is satisfied that Penn West has met all consultation and notification requirements that apply to you in relation to the application.

Based on the above, you have not demonstrated that you may be directly and adversely affected by the application for the facility licence. The AER has issued the applied-for licence and this is your notice of that decision. A copy of the licence is attached. Under the *Responsible Energy Development Act* an eligible person may file a request for a regulatory appeal on an appealable decision. Eligible persons and appealable decisions are defined in section 36 of the *Responsible Energy Development Act* and section 3.1 of the *Responsible Development Act General Regulation*. If you wish to file a request for regulatory appeal, you must submit your request in the form and manner and within the timeframe required by the AER. You can find filing requirements and forms on the AER website www.aer.ca under Applications & Notices: Appeals.

inquiries 1-855-297-8311
24-hour
emergency 1-800-222-6514

If you have any questions, contact Chris Carter at 403-297-8798 or e-mail Chris.Carter@aer.ca.

Sincerely,

<original signed by>

Shelley Youens
Director, Infrastructure Authorizations (Oil and Gas)

Enclosures (1): Licence

cc: Jay Farrell, Penn West Petroleum Ltd.
AER Grande Prairie Field Centre